



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,925	04/24/2006	Mamoru Miyachi	107156-00331	2805
4372	7590	03/27/2008	EXAMINER	
ARENT FOX LLP 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			NGUYEN, DUNG T	
			ART UNIT	PAPER NUMBER
			2828	
			NOTIFICATION DATE	DELIVERY MODE
			03/27/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DCIPDocket@arentfox.com
IPMatters@arentfox.com
Patent_Mail@arentfox.com

Office Action Summary	Application No. 10/576,925	Applicant(s) MIYACHI ET AL.	
	Examiner DUNG T. NGUYEN	Art Unit 2828	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-18 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,7,9,13 and 17 is/are rejected.
- 7) ☒ Claim(s) 4-6,8,10-12,14-16 and 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/24,8/16, 9/29 2006</u> . | 6) <input type="checkbox"/> Other: ____. |

OFFICE ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Paoli (5402436).

Fig.4 shows a semiconductor laser device which emits a plurality of laser lights having different wavelengths, said device comprising:

a first laser oscillation section 112 laminated on a semiconductor substrate 114; and a second laser oscillation section 122 which oscillates at a wavelength different from the first laser oscillation section;

wherein the first laser oscillation section's one surface located away from the semiconductor substrate and excluding its waveguide is fixedly combined with the second laser oscillation section's one surface located close to its light emitting portion and excluding its waveguide by virtue of insulating adhesive layers 130 & 132; said semiconductor laser device further comprises:

first and second ohmic electrode layers (it is inherent that the laser chips got to have electrodes and waveguides) formed on the surfaces of waveguides of the first and second laser oscillation sections; and first and second wiring layers 118 and 128 formed between the first and

Art Unit: 2828

second laser oscillation sections, electrically and individually connected with the first and second ohmic electrode layers;

wherein the first laser oscillation section or the semiconductor substrate is partially exposed when viewed from the second laser oscillation section side, with the first and second wiring layers extending on the surface of the exposed portion.

Claims 7 and 13, Fig.5-6 show a method of manufacturing a semiconductor laser device which emits a plurality of laser lights having different wavelengths, said method comprising the steps of:

forming a first film layer 404 (diode laser) containing at least an active layer and waveguides (it is inherent that the diode laser got to have active layer and waveguides) on a semiconductor substrate 408 to produce a first intermediate body;

forming a second film layer 402 containing at least an active layer and waveguides on a support substrate to produce a second intermediate body;

causing the waveguides of the first and second intermediate bodies to face each other and bonding together the first and second intermediate bodies by virtue of insulating adhesive layers; and removing the support substrate to expose the second film layer.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2828

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 9, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paoli (5402436) in view of Benrashid et al. (2005/0022697). Paoli disclose all limitations of the claims except for the SOG.

Benrashid teach the SOG in para.0001.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Paoli what is taught by Benrashid to perform a bonding.

Allowable Subject Matter

Claims 4-6, 8, 10, 14, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The above prior art fail to disclose the limitations as recited in the claims.

Claims 11-12 and 15-16 are also found objected due to their dependency of above claims.

Communication Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung (Michael) T Nguyen whose telephone number is (571) 272-1949. The examiner can normally be reached on 8:30 - 17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2828

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.

Michael Dung Nguyen

Primary Examiner

/Dung (Michael) T Nguyen/

Primary Examiner, Art Unit 2828

3/15/08